

## UNITED STATES DISTRICT COURT

for the  
Western District of Texas**FILED**

June 10, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

United States of America

v.

Robert Dillion Kennedy

BY: M. Ramirez  
DEPUTY

Case No. 7:21-MJ-235

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Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 9, 2021 in the county of Ector in the  
Western District of Texas, the defendant(s) violated:*Code Section*  
18 USC 922(g)(1), 924(a)(2)*Offense Description*  
Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.Attested to by applicant pursuant to Rule  
4.1 of Fed. R. Crim. P. by phone & email./s/ Jaye Johnson  
*Complainant's signature*Jaye Johnson, DEA, Special Agent  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 06/10/2021City and state: Midland, Texas  
U.S. Magistrate Judge Ronald C. Griffin  
*Printed name and title*

## AFFIDAVIT

**7:21-MJ-235**

1. I, Jaye Johnson, a Special Agent with the Drug Enforcement Administration (DEA) currently assigned to the Midland, Texas Resident Office, being duly sworn state:
2. I have successfully completed extensive training emphasizing narcotics investigation and law enforcement. I have been employed by the Drug Enforcement Administration as a Special Agent since July 2018 and have participated in several narcotics investigations. I have attended and successfully completed Basic Agent Training in Quantico, Virginia. Prior to being employed by the Drug Enforcement Administration, I was employed by the Midland Police Department, Midland Texas, for approximately 4 and a half years. During this time, I conducted a high number of narcotics investigations ranging from simple possession to trafficking. I have taken multiple trainings on narcotics investigations and identification.
3. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed. I have compiled information derived from numerous discussions with experienced federal, state, and local law enforcement officers. Since this complaint is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known by me in the investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause. Based on the facts cited in the body of this affidavit, I believe that probable cause exists that **Robert Dillion KENNEDY** in the

Western District of Texas, being a convicted felon, did knowingly possess a firearm in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

### CRIMINAL HISTORY

5. On or about June 1, 2012, Robert Dillion KENNEDY was arrested for Delivery Meth/Cocaine LT 2g, a Felony, by the Quachita County Sheriff's Office, Camden, Arkansas. KENNEDY pled guilty to this charge on or about June 6, 2012 in the Calhoun, County, in Hampton, Arkansas (Tracking number DOC003402564) and was sentenced to 72 months confinement.

### FACTUAL BASIS OF COMPLAINT

1. Since June of 2021, the Drug Enforcement Administration (DEA) made received information that a male individual identified as Robert D. KENNEDY was a transporter for kilogram quantities of methamphetamine to the Odessa, Texas, area. SA Johnson had received KENNEDY's information and had a cooperating source (CS) make contact with

KENNEDY prior and advised KENNEDY that SA Johnson was in need of a driver to Arizona. KENNEDY was advised that SA Johnson would need KENNEDY to travel to Arizona to pick up narcotics and bring them back to the Western District of Texas. KENNEDY agreed to over the phone with the CS to speak with SA Johnson.

2. On Wednesday, June 9, 2021, Special Agent Johnson made contact with KENNEDY via telephone. SA Johnson made contact with KENNEDY in an undercover capacity to advise that he needed a driver to travel to Arizona for the purpose of picking up narcotics. SA Johnson advised KENNEDY that he wanted to meet in person to provide the details of the pickup and wanted to meet in Odessa, Texas. KENNEDY agreed to the meet.
3. On Wednesday, June 9, 2021, SA Johnson made contact with KENNEDY and advised him to meet with him at the parking lot of Rosas Café (7900 TX-191, Odessa, Texas). KENNEDY advised SA Johnson that he would be operating a brown Chevrolet Silverado. At approximately 10:00pm, the DEA Midland Resident Office (MRO) conducting surveillance in the parking lot of Rosas Café observed a brown Chevrolet Silverado bearing Texas LP# NLM3215 pulling into the south side of the parking lot. Shortly after, KENNEDY sent a text message to SA Johnson stating "I'm here." After identifying the vehicle being operated by KENNEDY, SA Johnson then called KENNEDY and advised him to meet with him at the Kent Kwik (4000 Faudree RD, Odessa, Texas).
4. KENNEDY agreed and departed the Rosas parking lot through the North side of the parking lot entering the south 191 service road then traveling southbound onto Faudree Road. At that time it was confirmed that KENNEDY had arrived at that location to meet

with SA Johnson to discuss transporting a narcotics load from Arizona back to the Odessa, Texas, area, therefore committing the overt act.

5. Deputies Tommy Hain and Abel Sanchez with the Ector County Sherriff's Office (ECSO) conducted a traffic stop. In the parking lot of 4000 Faudree Road (Kent Quick). Deputy Hain made contact with KENNEDY at the driver side of the pickup and advised him to step out of the pickup truck to further speak with him. When KENNEDY was asked if he had any weapons on him he advised Deputy Hain that he had his gun in the truck. It should be noted that prior to the meet with KENNEDY SA Johnson conducted a criminal history check of KENNEDY and confirmed that KENNEDY is in fact a convicted felon.
6. After KENNEDY was detained, Task Force Officer Todd Stanley, utilized his K-9 partner Logan to conduct and open air sniff of KENNEDY's vehicle. K-9 Logan gave a positive alert for the presence of narcotics in the vehicle. A vehicle search was conducted on KENNEDY's vehicle and a Springfield XD (Serial# AT220511, manufactured in Illinois) was located under the driver seat. Also located I the vehicle was methamphetamine.
7. SA Johnson met with KENNEDY and advised KENNEDY of his constitutional rights. KENNEDY stated that he understood his rights. KENNEDY stated that he had purchased that firearm from a male in the area for \$450.00. KENNEDY admitted to being the possessor and owner of the firearm as he used it based on where he was working in the area.

#### FEDERAL CRIMINAL VIOLATION

10. On or about June 9, 2021, Robert Dillion Kennedy, knowing that he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm that was in and affecting commerce, to wit: a Springfield Armory XDS 9mm handgun, which offense occurred in the Western District of Texas and is a violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

11. If convicted, KENNEDY faces up to ten (10) years of imprisonment, up to three (3) years of supervised release, a \$250,000 maximum fine, and a \$100 special assessment.

12. AUSA Monica Daniels was notified and agreed to prosecute the case on the Federal level in the Western District of Texas.

\_\_\_\_\_/s/ Jaye Johnson\_\_\_\_\_  
Jaye Johnson Special Agent (SA)  
Drug Enforcement Administration (DEA)

Attested to by applicant pursuant to Rule  
4.1 of Fed. R. Crim. P. by phone & email.

Sworn and Subscribed before me this 10th day of June, 2021

  
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Ronald C. Griffin  
United States Magistrate Judge